

D. G. SWEIGERT, C/O, MAILBOX, PMB 13339  
514 Americas Way, Box Elder, SD 57719  
[Spoliation-notice@mailbox.org](mailto:Spoliation-notice@mailbox.org)

March 2, 2025

***Sweigert v. Goodman, 23-cv-05875-JGK***

U.S. Magistrate Judge Honorable Valerie Figueredo  
U.S. District Court for the Southern District of New York  
500 Pearl Street  
New York, N.Y. 10007  
Via ECF filing

SUBJ: ORDER ECF no. 244, Feb. 26, 2025

Dear Judge Figueredo,

1. I am writing to you in light of the presiding judge's subject order.
2. From a discovery perspective, there is still an issue concerning the use of the *pro se* Plaintiff's facial image and the "no relationship" test as discussed in the *pro se* Plaintiff's letter to the presiding judge on 02/22/2025 at ECF no. 243.
3. To illustrate a copy of an original complaint is herein attached that depicts a now defunct YOUTUBE channel of the Defendant's. This complaint identifies the exact same visual artifacts that were identified in the 02/22/2025 letter to the presiding judge at ECF no. 243.
4. These artifacts (facial image, contract of the National Institute of Health (NIH), and phone directory of the NIH) underscore that discovery materials exist that would tend to prove the issue that the Defendant violated NYCRL §§ 50 and 51 as discussed by Judge Valerie E. Caproni (see letter to the presiding judge of 02/22/2025) in her decision that has been docketed at ECF no. 242, filed 02/22/2025.
5. As a courtesy to you, these artifacts are presented below.



<sup>1</sup> Case 1:23-cv-03446-UNA Document 1 Filed 10/29/23 Page 6 of 8

<sup>2</sup> Case 1:23-cv-03446-UNA Document 1 Filed 10/29/23 Page 6 of 8

<sup>3</sup> Case 1:23-cv-03446-UNA Document 1 Filed 10/29/23 Page 7 of 8

Respectfully, Signed 03/02/2025



**D. G. SWEIGERT PRO SE PLAINTIFF**

**CERTIFICATE OF SERVICE**

Hereby certified under penalties of perjury that a true copy of this pleading has been e-mailed to YouTuber Jason Goodman at [jason@21stcentury3d.com](mailto:jason@21stcentury3d.com) and [<truth@crowdsourcethetruth.org>](mailto:<truth@crowdsourcethetruth.org>)

Respectfully, Signed this 03/02/2025



**D. G. SWEIGERT PRO SE PLAINTIFF, C/O PMB 13339,  
514 Americas Way, Box Elder, SD 57719**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

<p><b>D. G. Sweigert,</b></p> <p style="text-align: center;"><b>Plaintiff</b></p> <p style="text-align: center;"><b>Versus</b></p> <p><b>U.S. National Institute of Health, and</b></p> <p><b>Lawrence A. Tabak, D.D.S., Ph.D,</b> <b>agency director in official and personal capacities</b></p> <p style="text-align: center;"><b>Defendants</b></p>	<p style="text-align: center;"><b>PRO SE</b></p> <p style="text-align: center;"><b>COMPLAINT</b></p> <p style="text-align: center;"><b>RELATED:</b> <b>23-cv-06881-JGK</b> <b>23-cv-05875-JGK</b></p>
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**INITIAL COMPLAINT**

NOW COMES the *pro se* Plaintiff to file this action against the U.S. National Institute of Health. This is an action under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, to obtain an order for the production of agency records from the U.S. National Institute of Health in response to a FOIA request properly made by Plaintiff.

Signed October 29, 2023 (10/29/2023)



**D. G. SWEIGERT, C/O**  
**AMERICA'S RV MAILBOX, PMB 13339**  
**514 Americas Way, Box Elder, SD 57719**

## **BACKGROUND**

1. The United States district courts are vested with exclusive original jurisdiction over Freedom of Information Act, 5 U.S.C. § 552, cases by section (a)(4)(B) of the Act, which provides in pertinent part: On complaint, the district court of the United States . . . has jurisdiction to enjoin the agency from withholding agency records and to order the production of any agency records improperly withheld from the complainant., 5 U.S.C. § 552(a)(4)(B) (2012 & Supp. V 2017).

## **PARTIES**

2. The National Institutes of Health, a U.S. Government agency, is the largest public funder of biomedical research in the world. In fiscal year 2022, NIH invested most of its \$45 billion appropriations in research seeking to enhance life, and to reduce illness and disability. NIH-funded research has led to breakthroughs and new treatments helping people live longer, healthier lives, and building the research foundation that drives discovery.

3. Lawrence A. Tabak, D.D.S., Ph.D is the Acting Director of the National Institutes of Health (NIH), officially taking office on December 20, 2021. Dr. Tabak has served as the Principal Deputy Director and the Deputy Ethics Counselor of NIH since August 2010.

4. D. G. Sweigert is a concerned citizen who has been singled out by a conspiracy theorist named Jason Goodman who operates GOOGLE social media accounts, such as YouTube.Com. Mr. Goodman, of the Chelsea Section of New York City, zip 10001, has accused the Plaintiff of working with the NIH to create a Disinformation Governance Board to allow the NIH to police the Internet searching for medical disinformation. The Plaintiff is presently attempting to clear his name of this slander and defamation.

### **JURISDICTION AND VENUE**

5. This Court has subject matter jurisdiction over this action, pursuant to 28 U.S.C. § 1331 and 5 U.S.C. § 552(a)(4)(B).
6. Venue is premised on the place of business of the fields offices of N.I.H. in this district and is proper in this district under 5 U.S.C. § 552(a)(4)(B).
7. Plaintiff has exhausted all administrative remedies available. The N.I.H. has failed to make an initial determination with respect to Plaintiff's request within the timeframe set by FOIA, and Plaintiff therefore is deemed to have exhausted all administrative remedies, pursuant to 5 U.S.C. § 552(a)(6)(C).

### **FACTS**

8. Listed below are FOIA requests ignored by NIH staff.

From: Spoliation Notice <spoliation-notice@mailbox.org>  
To: "nihfoia@od.nih.gov" <nihfoia@od.nih.gov>, "liuyujin@mail.nih.gov" <liuyujin@mail.nih.gov>, Spoliation Notice <spoliation-notice@mailbox.org>, "spoliation@posteo.net" <spoliation@posteo.net>  
Date: 10/15/2023 4:08 PM PDT  
Subject: FOIA REQUEST TO Yujing Liu, MD, PhD - RFA-MD-22-008

To:  
Yujing Liu, MD, PhD  
National Institute on Minority Health and Health Disparities (NIMHD)  
Telephone: 301-827-7815  
Email: liuyujin@mail.nih.gov

You have been identified as the data custodian for the following documents:

All Standard Form 424 submitted in response to funding opportunity announcement RFA-MD-22-008.

This is a Freedom of Information Act request. Immediately advise your FOIA action officer that you have received this request.

Best,

D. George Sweigert

From: Spoliation Notice <spoliation-notice@mailbox.org>  
 To: "clane@niaid.nih.gov" <clane@niaid.nih.gov>, "haugwelt@niaid.nih.gov" <haugwelt@niaid.nih.gov>, "deaweb@niaid.nih.gov" <deaweb@niaid.nih.gov>, "rpurcell@niaid.nih.gov" <rpurcell@niaid.nih.gov>, "niaidtraining@nih.gov" <niaidtraining@nih.gov>, "LL153p@nih.gov" <LL153p@nih.gov>, "NIAIDSBIR@mail.nih.gov" <NIAIDSBIR@mail.nih.gov>, "Annie.grimes@nih.gov" <Annie.grimes@nih.gov>, "NYAG.Pressoffice@ag.ny.gov" <NYAG.Pressoffice@ag.ny.gov>, "dave.sweigert@nih.gov" <dave.sweigert@nih.gov>, "amanda.manning@nih.gov" <amanda.manning@nih.gov>, "kelli.reid@nih.gov" <kelli.reid@nih.gov>, "michael.showe@nih.gov" <michael.showe@nih.gov>, "kramerkm@csr.nih.gov" <kramerkm@csr.nih.gov>, "csrdrr@mail.nih.gov" <csrdrr@mail.nih.gov>, "communications@csr.nih.gov" <communications@csr.nih.gov>, "nihfoia@od.nih.gov" <nihfoia@od.nih.gov>, "nhlbifoiarequest@nhlbi.nih.gov" <nhlbifoiarequest@nhlbi.nih.gov>, "xavier.becerra@hhs.gov" <xavier.becerra@hhs.gov>  
 Cc: "removals@google.com" <removals@google.com>, "legal@support.youtube.com" <legal@support.youtube.com>, "google-legal-support@google.com" <google-legal-support@google.com>, "spoliation@posteo.net" <spoliation@posteo.net>, Spoliation Notice <spoliation-notice@mailbox.org>  
 Date: 10/15/2023 9:29 AM PDT  
 Subject: FOIA TO NIH

ATTENTION: FOIA OFFICER

THIS IS A FOIA REQUEST PURSUANT TO 5 USC 552(a-b).

Copies of all documents associated with the below listed government grant are hereby requested:

RFA-MD-22-008

Understanding and Addressing Misinformation among Populations that Experience Health Disparities (R01 - Clinical Trials Optional)

Further information is contained in the attached PDF.

Best,

D.G. Sweigert

From: Spoliation Notice <spoliation-notice@mailbox.org>  
To: "NIMHDinfo@nimhd.nih.gov" <NIMHDinfo@nimhd.nih.gov>  
Cc: "kimberly.allen@nih.gov" <kimberly.allen@nih.gov>, Spoliation Notice <spoliation-notice@mailbox.org>, "spoliation@posteo.net" <spoliation@posteo.net>, "deborah.duran@nih.gov" <deborah.duran@nih.gov>, "carringk@mail.nih.gov" <carringk@mail.nih.gov>  
Date: 10/15/2023 4:26 PM PDT  
Subject: FOIA REQUEST

To:  
FOIA ACTION OFFICER  
Nancy L. Jones, Ph.D., M.A.  
Division of Community Health and Population Science  
jonesna@nimhd.nih.gov  
301-594-8945

This is a Freedom of Information Act request. If you are not your agency's FOIA Office forward to that person immediately.

Copies of all records are requested that are related to the following programs:

Understanding and Addressing Misinformation Among Populations That Experience Health Disparities

This initiative will seek to 1) understand the underlying mechanisms and 2) test interventions to address and mitigate the impact of health-related misinformation and disinformation on health disparities and the populations that experience health disparities.

Additionally all such records are no in a litigation hold status as electronic evidence to be used in a civil trial (see attached).

Best,

D.G. Sweigert

9. For background on these FOIA requests.

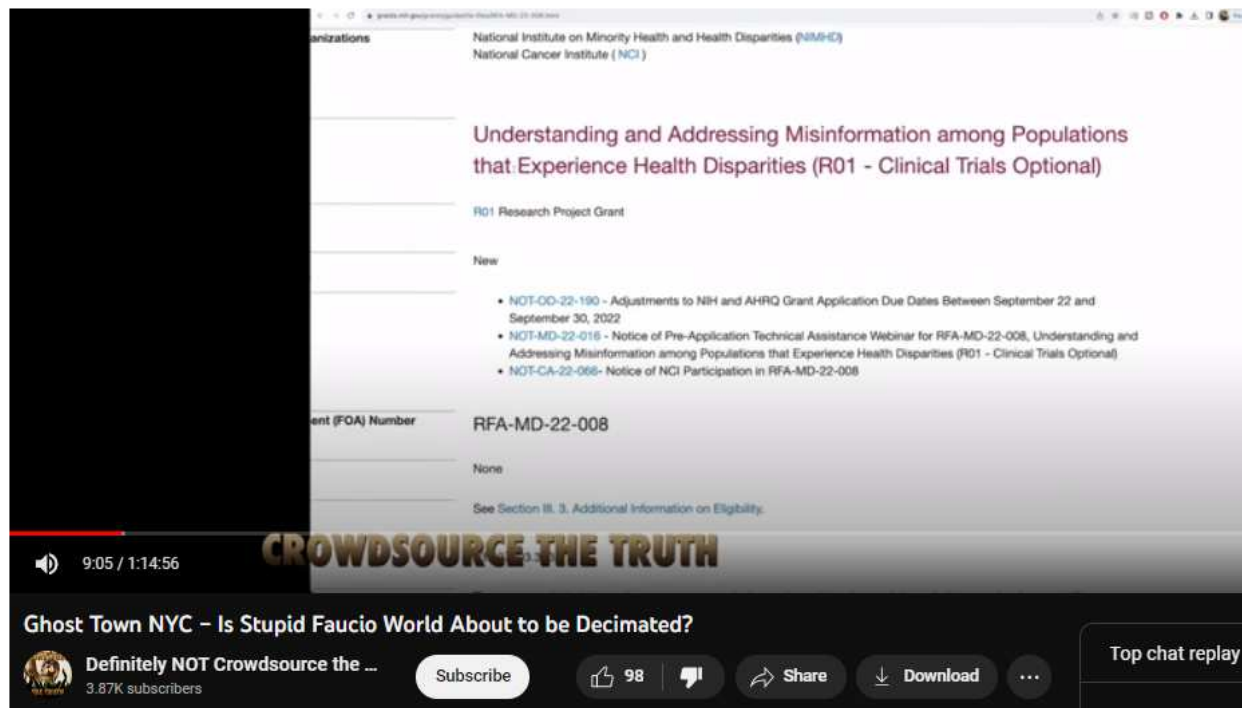


<https://www.youtube.com/@DefinitelyNOTCSTT>





[https://www.youtube.com/watch?v=\\_IvNnEcSe\\_g&t=2583s](https://www.youtube.com/watch?v=_IvNnEcSe_g&t=2583s)



[https://www.youtube.com/watch?v=\\_IvNnEcSe\\_g&t=2583s](https://www.youtube.com/watch?v=_IvNnEcSe_g&t=2583s)



[https://www.youtube.com/watch?v=\\_IvNnEcSe\\_g&t=2583s](https://www.youtube.com/watch?v=_IvNnEcSe_g&t=2583s)

### **COUNT I**

10. Plaintiff repeats, realleges, and reincorporates the allegations in the foregoing paragraphs as though fully set forth herein.

11. Defendant NIH is subject to FOIA and must therefore release in response to a FOIA request any disclosable records in its possession at the time of the request and provide a lawful reason for withholding any materials as to which it is claiming an exemption.

### **REQUEST FOR RELIEF**

12. WHEREFORE, Plaintiff respectfully request that this Court:

13. Declare that the documents sought by their FOIA request, as described in the foregoing paragraphs, are public under 5 U.S.C. § 552 and must be disclosed;

14. Order the NIH to provide the requested documents to Plaintiff within 20 business days of the Court's order;

15. Award Plaintiffs the costs of this proceeding, including reasonable attorneys' fees, as expressly permitted by FOIA; and,

16. Grant Plaintiffs such other and further relief as this Court deems just and proper.

Signed October 29, 2023 (10/29/2023)



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